

104TH CONGRESS
2D SESSION

S. 1806

To amend the Federal Food, Drug, and Cosmetic Act to clarify that any dietary supplement that claims to produce euphoria, heightened awareness or similar mental or psychological effects shall be treated as a drug under the Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 23, 1996

Mr. D'AMATO (for himself, Mr. DODD, and Mr. FRIST) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to clarify that any dietary supplement that claims to produce euphoria, heightened awareness or similar mental or psychological effects shall be treated as a drug under the Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DEFINITION OF DRUG.**

4 Section 201(g)(1) of the Federal Food, Drug, and
5 Cosmetic Act (21 U.S.C. 321(g)(1)) is amended by adding
6 at the end thereof the following new sentence: “Notwith-
7 standing the preceding sentence, a dietary supplement

1 shall be considered a drug under clause (C) if the label
2 or labeling of such drug claims or implies that the dietary
3 supplement produces euphoria, heightened awareness, or
4 similar mental or psychological effects.”.

